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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number	
First Named Inventor	Rod N. Sanomassimo
<b>COMPLETE IF KNOWN</b>	
Application Number	
Filing Date	
Art Unit	
Examiner Name	

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**User Interface for a Resistance Training Device and Method of Use***(Title of the Invention)*

the specification of which

is attached hereto

**OR**

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:  Customer Number:  OR  Correspondence address below

## Name

Devici, Inc. Attn: Charles Mark Herskowitz

## Address

15 Barrington Place

## City

Durham

## State

NC

## ZIP

27705

## Country

USA

## Telephone

(919)382-2992

## Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

## Given Name

(first and middle [if any])

Rod N.

## Family Name

or Surname

Santomassimo

Inventor's  
Signature

## Date

3/18/04

Residence: City  
CaryState  
NCCountry  
USACitizenship  
USAMailing Address  
105 Marble Falls WayCity  
CaryState  
NCZIP  
27516Country  
USA

## NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor

## Given Name

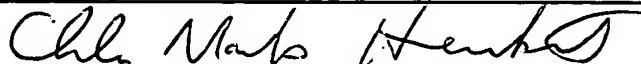
(first and middle [if any])

Charles Mark

## Family Name

or Surname

Herskowitz

Inventor's  
Signature

## Date

3/18/04

Residence: City  
DurhamState  
NCCountry  
USACitizenship  
USAMailing Address  
15 Barrington PlaceCity  
DurhamState  
NCZIP  
27705Country  
USA

Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental Sheet

Page 1 of 1

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Richard Z.		Polidi	
Inventor's Signature			Date 03-18-04
Residence: City Durham	State NC	Country USA	Citizenship USA
Mailing Address 12 Quail Hunt Circle			
Mailing Address			
City Durham		State NC	Zip 27712
Country USA			
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City		State	Zip
Country			
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City		State	Zip
Country			

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## Assignment of Patent Application

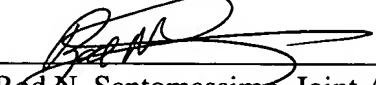
Whereas Rod N. Santomassimo of Cary, North Carolina, Charles Mark Herskowitz of Durham, North Carolina, and Richard Z. Polidi of Durham, North Carolina, hereafter referred to as Joint Applicants, have invented certain new and useful improvements in a **User Interface for a Resistance Training Device and Method of Use**, for which an application for a United States non-provisional utility patent is being filed herewith on March 18, 2004; and

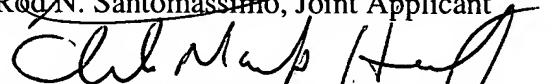
Whereas Devici, Inc. of Durham, North Carolina, hereafter referred to as Assignee, is desirous of acquiring the entire right, title, and interest in the same,

Now, therefore, in consideration of the sum of one dollar and zero cents (\$1.00) to each joint applicant, the receipt of which is acknowledged, and other good and valuable consideration, we the Joint Applicants, by these presents do sell, assign and transfer unto said Assignee the full and exclusive right to said invention in the United States and the entire rights, title and interest in and to any and all Patents which may be granted therefore in the United States. We hereby authorize and direct the Director of the U.S. Patent and Trademark Office to issue said United States Patent to said Assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said patent(s) may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed March 18, 2004 in the state of North Carolina and the county of Durham.

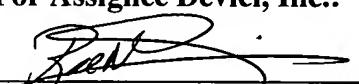
### Joint Applicants:

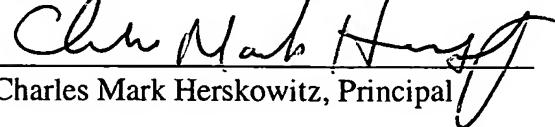
  
Rod N. Santomassimo, Joint Applicant

  
Charles Mark Herskowitz, Joint Applicant

  
Richard Z. Polidi, Joint Applicant

### For Assignee Devici, Inc.:

  
Rod N. Santomassimo, Principal

  
Charles Mark Herskowitz, Principal

### Devici, Inc. Corporate Seal:

